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BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

DOCKETED

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CARL J. KUNASEK
Chairman
JIM IRVIN
Commissioner
WILLIAM A. MUNDELL
Commissioner

IN THE MATTER OF THE APPLICATION
OF U S WEST COMMUNICATIONS, INC.,
FOR APPROVAL OF THE FIRST
AMENDMENT TO THE TYPE 2 WIRELESS
INTERCONNECTION AGREEMENT WITH
NEXTEL WEST CORPORATION

DOCKET NO. T-01051B-00-0572

DECISION NO. 62945

ORDER

Open Meeting
October 4 and 5, 2000
Phoenix, Arizona

BY THE COMMISSION:

FINDINGS OF FACT

1. On August 2, 2000, U S WEST Communications, Inc. ("USWC") filed an application for approval of the First Amendment to the Type 2 Wireless Interconnection Agreement between USWC and Nextel West Corporation ("Nextel"). The original Interconnection Agreement was approved by the Commission on April 30, 1998, in Decision No. 60844.

2. The Telecommunications Act of 1996 ("1996 Act") directed incumbent local exchange carriers to make their networks available for interconnection and resale by new entrants to the local exchange market. The 1996 Act provides for interconnection and resale agreements to be concluded by voluntary negotiation.

3. This First Amendment to the Type 2 Wireless Interconnection Agreement between USWC and Nextel was voluntarily negotiated, without resort to arbitration.

4. Under the terms of this First Amendment, USWC and Nextel agree to replace in its entirety, section 4.11, Standard Billing Arrangement. The First Amendment adds certain terms and conditions to incorporate Direct Billing into Nextel's billing arrangement with USWC.

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1 5. According to the 1996 Act and Commission Rule, the Commission must approve
2 voluntarily negotiated interconnection and resale agreements, if their provisions are non-
3 discriminatory and in the public interest.

4 6. Staff has reviewed the First Amendment and finds it to be non-discriminatory and
5 in the public interest. USWC is offering the same terms and conditions of the Agreement to all
6 other interested parties. The Agreement is in the public interest because it will act to further
7 competition in the local exchange market in Arizona.

8 7. Since there are no grounds for rejection of the First Amendment pursuant to Section
9 252(e)(2)(A) of the 1996 Act, Staff has recommended that the Commission approve the First
10 Amendment to the Type 2 Wireless Interconnection Agreement between USWC and Nextel.

11 CONCLUSIONS OF LAW

12 1. USWC is an Arizona public service corporation within the meaning of Article XV,
13 Section 2, of the Arizona Constitution.

14 2. The Commission has jurisdiction over Nextel and over the subject matter of the
15 Application.

16 3. The Commission, having reviewed the Application and Staff's Memorandum has
17 determined that the First Amendment to the Interconnection Agreement negotiated between
18 USWC and Nextel meets the requirements of Section 252(e)(2)(A) of the 1996 Act which
19 governs the approval of voluntarily-negotiated agreements and is in the public interest.

20 4. The Commission maintains jurisdiction over the subject matter of the Agreement
21 and Amendments thereof, to the extent permitted pursuant to the powers granted the Commission
22 by the Arizona Constitution, Statutes, Commission Rule, and the 1996 Act and the Rules
23 promulgated thereunder.

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ORDER

THEREFORE, IT IS ORDERED that the Commission hereby approves the First Amendment to the Type 2 Wireless Interconnection Agreement between USWC and Nextel filed on August 2, 2000.

IT IS FURTHER ORDERED that this Decision shall become effective immediately.

BY ORDER OF THE ARIZONA CORPORATION COMMISSION
CHAIRMAN
COMMISSIONER
COMMISSIONER

IN WITNESS WHEREOF, I, BRIAN C. McNEIL, Executive Secretary of the Arizona Corporation Commission, have hereunto, set my hand and caused the official seal of this Commission to be affixed at the Capitol, in the City of Phoenix, this 1st day of October, 2000.


BRIAN C. McNEIL
Executive Secretary

DISSENT: _____

DRS:EAA:lh